

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

FRANCISCO RINCONES-AYALA,

Defendant.

Case No. CR03-5659FDB

ORDER REFERRING  
APPOINTMENT OF COUNSEL  
MOTION TO CJA ADMINISTRATOR

Defendant's direct appeal was dismissed and the mandate issued September 18, 2006.

Having exhausted his remedies on appeal, Defendant wishes to file a motion pursuant to 28 U.S.C. § 2255 and seeks appointment of counsel pursuant to 18 U.S.C. § 3006A to do so. Defendant's direct appeal counsel filed an affidavit in support of the motion for appointment of CJA counsel. Rather than to appoint counsel at this time, this matter will be referred to the CJA administrator to report to the Court whether appointment of counsel is appropriate in this case.

NOW THEREFORE, IT IS ORDERED: The motion for appointment of counsel [Dkt. # 161] for filing a Section 2255 petition is REFERRED to the CJA administrator to determine and to report to the Court by November 3, 2006 whether such appointment is appropriate.

DATED this 17<sup>th</sup> day of October, 2006.



FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE